

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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ALBERT BEAVER,

Plaintiff,

v.

Case No. 08-C-187

MICHAEL MELOTTE II, MELISSA MELOTTE, and  
MARY BERNE,

Defendant.

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**DECISION AND ORDER**

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Plaintiff Albert Beaver, *pro se*, has filed a motion for relief under Rule 60(b)(6). Because that rule is not an appropriate method to challenge the merits of an adverse decision, I construe Plaintiff's filing as a timely motion for relief under Rule 59. *Gleash v. Yuswak*, 308 F.3d 758, 761 (7th Cir. 2002) ("legal error is not a proper ground for relief under Rule 60(b)"). Plaintiff contends the Court erred by "weighing" the evidence, but that is not what happened. In entering judgment, the Court simply concluded that there was no evidence that Plaintiff had been retaliated against in violation of the ADA. Accordingly, the motion for relief is **DENIED**.

**SO ORDERED** this 31st day of October, 2008.

s/ William C. Griesbach  
WILLIAM C. GRIESBACH  
United States District Judge